ADMINISTRATIVE SHOOTING REVIEW

COUNTY OF LOS ANGELES
SHERIFF"S DEPARTMENT

HIT SHOOTING
EVALUATION

UNIT:	Major Crimes Bureau, Fugitive Task Force
DATE:	December 22, 2003, (Monday)
TIME:	0800 hours
LOCATION:	[redacted] Palm Street, Bellflower, CA
URN#:	403-33048-1335-051
IAB#:	SH 2106147

NATURE OF
INCIDENT: On December 22, 2003, at about 0800 hours, Major Crimes Bureau, Fugitive Detail, Detectives Stephanie Patterson and [redacted] were involved in a hit shooting incident. Detectives from Major Crimes Bureau Fugitive Detail went to [redacted] Palm Street, in the city of Bellflower, looking for Javier Torres. Torres was wanted on a no bail probation violation warrant. When deputies from Lakewood Station and Major Crimes Bureau knocked on to the front door, there was no answer. Moments later, the deputies heard movement from within the duplex. The detectives maintained containment on the unit while the team sergeant spoke to neighbors. Suspect Torres, who was inside a rear bedroom, began shooting through the rear walls of the unit, striking Deputy Patterson in the left hip and Deputy [redacted] in the left shoulder. Both deputies returned fire. Suspect Torres jumped out of the window, ran westbound into the adjoining apartment complex, out-of-sight.

After a containment was established, two canine teams from Special Enforcement Bureau alerted on a shed, in the rear of [redacted]. Members of S.E.B. formed an arrest team and after several announcements directed at the shed, calling the suspect by name, Torres surrendered to the deputies. Suspect Torres was taken into custody without incident.

Internal Affairs Bureau was notified at 0830 hours and Sergeants Rick Smith and Larry Landreth, along with Lieutenant Stacy Lee, of the Internal Affairs Bureau responded to the command post at Lakewood Boulevard and Artesia Boulevard, in the city of Bellflower, regarding a deputy involved hit shooting. When we arrived, Homicide Bureau personnel were at the scene investigating the incident. Two deputies had been injured and transported to Lakewood Regional Hospital with gunshot wounds.

COMPLETED BY:	Sergeant Larry Landreth, Internal Affairs Bureau
DATE:	April 22, 2005

On February 16, 2005, Deputy District Attorney Christina Fleming Buckley issued a Letter of Opinion regarding the deputy involved shooting incident. In his review of the shooting, D.D.A. Buckley deemed Deputies Patterson and [redacted] acted lawfully in self-defense.

The following summary is based on verbal and written statements from the involved deputy, witness statements and statements from the suspects.

INVOLVED PERSONNEL:

PATTERSON, STEPHANIE, Deputy Sheriff # [redacted]
Detective Division
Major Crimes Bureau, Fugitive Detail

EMPLOYEE WORK HISTORY:

Date of Employment:	04-28-89
Date assigned to Patrol/Custody:	[redacted]
Completed Patrol/Custody Training:	[redacted]
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incidents:	[redacted]

[redacted], Deputy Sheriff # [redacted]
Detective Division
Major Crimes Bureau, Fugitive Detail

EMPLOYEE WORK HISTORY:

Date of Employment:	08-24-88
Date assigned to Patrol/Custody:	[redacted]
Completed Patrol/Custody Training:	[redacted]
Prior Shooting Incidents:	[redacted]
Prior Founded Force Incidents:	[redacted]

SUSPECT(S):

TORRES, Javier ,MH/24 yrs. DOB: 02-15-1979, 5-08", 220 lbs., brown/brown
[redacted]
Booking # 7950998 **C.I.I. #** [redacted] **Main #** [redacted] **FBI #** [redacted]
CDC# [redacted]

[redacted]

Suspect Torres is an admitted Compton Varrio T-Flats gang member.

CIVILIAN WITNESSES:

IAB Note: During the canvass of the area after the shooting thirty-four residents were contacted and questioned as to what they may have witnessed. The fifteen individuals below either saw or heard something substantial and their interview summaries are included in the document.

1. [redacted]
2.
3.
4.
5.
6.
7.
8.
9.
10.
11.
12.
13.
14.
15.

DEPARTMENT WITNESSES:

1. Delmese, Lawrence, Sergeant # [redacted]
2. Duerr, Timothy, Deputy Sheriff # [redacted]
3. [redacted], Deputy Sheriff # [redacted]

INJURIES:

__Suspect__
Suspect Torres sustained a gunshot wound to the left foot.

Deputy Personnel

Deputy Stephanie Patterson sustained a gunshot wound to the left buttocks that lodged in her colon.

Deputy [redacted] sustained a gunshot wound to the right shoulder.

WEATHER AND LIGHTING CONDITIONS:

Daylight, clear, with little or no clouds.

WEAPONS USED BY SUSPECT(S):

SUSPECT Javier Torres was armed with Calico M-951, 9mm Luger caliber semiautomatic rifle (Category 3 Assault Weapon), serial number [redacted] and a Berretta 92FS 9mm Luger semiautomatic pistol, serial number [redacted]. It appears that Torres fired seventeen rounds from the Berretta semi-automatic pistol.

> **IAB Note: The Berretta pistol was found to have been stolen from a location in Henderson, Nevada and reported to Henderson Police Department under their file number 03-08810. Refer to Exhibit A, pages 188 - 192 for a copy of Henderson Police Department's crime report.**

WEAPON(S) USED BY DEPUTY PERSONNEL:

DEPUTY STEPHANIE PATTERSON

Service Weapon- Berretta, 92F (Serial Number BER030931Z), Double Action Semi-automatic Pistol, 9mm Luger

Type Of Ammunition- Winchester Brand Ranger "T" 9 mm Luger cartridges.

Ammunition- One round fired and fifteen unexpended rounds left in the magazine.

Shell Casings- A total of twelve expended rounds were located at the scene where both Patterson and [redacted] reported firing.

Date Employee Last Qualified: (Mobile Range) [redacted]

Date Last Trained With Weapon: [redacted]



Lab Receipt No. J381343 Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section (Refer to Exhibit A, page 218)

DEPUTY [redacted]

Service Weapon- Berretta, 92F (Serial Number [redacted]), Double Action Semi automatic Pistol, 9mm Luger

Type Of Ammunition- Winchester Brand Ranger "T", 9 mm Luger cartridges.
Ammunition- Eleven rounds fired and five left in the magazine.
Shell Casings- A total of twelve expended rounds were located at the scene where both Patterson and [redacted] reported firing..
Date Employee Last Qualified: (Mobile Range) [redacted]
Date Last Trained With Weapon: [redacted]

Lab Receipt No. J381343 Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section (Refer to Exhibit A, page 218)

INVOLVED DEPUTY(S) STATEMENTS:

PATTERSON, Stephanie, Deputy Sheriff # [redacted]
Deputy Patterson was interviewed by Homicide Investigators Rich Lopez and Sandra Nava on 12-31-2003, at 1107 hours. The interview took place at Lakewood Regional Hospital and was tape recorded. The following is a summary of the interview.

Deputy Patterson was assigned to the Fugitive Task Force of Major Crimes Bureau. She said that the suspect, Javier Torres, was a person-of-interest in a kidnap and murder case investigated by Sheriff's Department Homicide Bureau, under the file # 003-22958-1363-011. A handgun was found in a vehicle he was a passenger in when a traffic stop was initiated on the vehicle. Suspect Torres ran from the vehicle while the driver was detained and arrested. When the vehicle was searched a loaded handgun was found concealed in the passenger door. A probation violation warrant was issued for Javier Torres by the Los Angeles County District Attorney's Office. Deputy Patterson said her team also learned Suspect Torres was with a sixteen year old female, [redacted], a reported missing juvenile. Patterson said they received information that Javier Torres, along with [redacted], were staying at a location in Bellflower.

On 12-22-2003, at 0600 hours, the Fugitive Task Force assembled at Century Station and discussed a plan to conduct a "door knock" at [redacted] Palm Street, in Bellflower and both arrest Suspect Javier Torres and detain the reported missing juvenile. From Century Station Deputy Patterson and her team staged in the Denny's Restaurant parking lot at Lakewood and Artesia Boulevards. Deputy Patterson was wearing civilian clothes and a tactical ballistic vest. The vest had "SHERIFF" in bright yellow lettering on both the front and back. There was a cloth yellow sheriff's star on the front of their vest. Deputy [redacted] went to the Palm Street address and conducted a surveillance of the location to gather intelligence for the planned operation. Team Sergeant Lawrence Delmese requested a patrol unit from Lakewood Station to come and assist in the operation.

When the Lakewood unit arrived the remainder of the team drove to [redacted] Palm Street and Deputies Patterson and [redacted] set up at the rear of the location. The rest of the team set up at

the front of the residence. Deputy Patterson said she was in radio contact with the team members in the front.

Deputy Patterson told the investigators she heard team members pounding with a flashlight on the front door of the residence six or seven times. She also heard her team members announcing, *"Sheriff's Department, open up the door, Sheriff's Department, open up the door."* There was no answer at the door after several minutes of trying. The patrol unit was released from the location and Deputies Patterson and [redacted] remained at the southwest portion of the residence.

Deputy Patterson said she saw a large picture window on the building west of where she was standing. The position of the window reflected onto the window at the southwest end of the residence, allowing her to see the southwest window from her location. Deputy Patterson could see the window blinds through the reflection and noticed they were moving. She notified her team members, via radio, that she believed some one was inside of the house.

Patterson continued to watch the window reflection and saw the blinds move some more. She again notified the team of her observations. Deputy [redacted] came to her location and joined Patterson and [redacted] at the southwest portion of the residence. They all watched as the blinds continued to move and both [redacted] and Patterson began to yell at the individuals inside the residence to go to the front door and answer the door for the deputies located there.

Deputy Patterson said she heard a sound that she believed was some one removing a wooden bar from the slider track of the window and the window opening. She looked north toward the southwest window and saw Suspect Javier Torres climbing out of the window holding a gun in his hand. Patterson said she thought the gun Javier Torres held was a 9mm semi-automatic pistol. Deputy Patterson was approximately five feet from the male when she recognized him as Suspect Javier Torres.

IAB Note: Deputy Patterson drew a diagram for Homicide investigators of the location, her position and the window. Refer to Exhibit A, page 161.

When Suspect Torres made eye contact with Patterson, she told investigators, *"I'd never seen a look of evil on somebody's face before in my life."* Deputy Patterson said she believed Torres was coming out to kill her or her team members. Fearing for her life, Patterson fired one round from her Departmentally issued Berretta at Torres. She said she did not believe the round struck Torres and he climbed back into the bedroom. Immediately after the shot, Deputy [redacted] asked her if she shot or the suspect shot. She told [redacted] she had fired at the suspect.

Deputy [redacted] yelled to Patterson to get back, which she did and took up a position of cover behind a cinder block partition wall, just south of the residence. Deputy Patterson said, *"All of a sudden, it sounded like a machine gun was going off."* She saw bullets coming from inside of the

southwest bedroom, through the south wall and striking the partition wall. She believed the bullets were traveling from west to east.

Deputy Patterson said she turned to run eastbound behind the partition to avoid getting shot and felt a bullet enter her left hip. She fell to the ground and was unable to move because of her injuries. She said she heard bullets striking a green trash bin, just east of her location, as the shooting continued by the suspect.

Deputy Patterson said the next thing she remembered was hearing Deputy [redacted] on the radio informing the rest of the team that Suspect Torres was running westbound from the location. Deputy [redacted] ran to Deputy Patterson and asked her if she was okay. Patterson told Deputy [redacted] that she had been shot and was down, unable to move. Patterson heard both Deputy [redacted] and Sergeant Delmese asking her if she was okay. She also told them she had been shot. Deputy [redacted] told Patterson he also had been shot, but was okay. Patterson said four Lakewood Station patrol deputies came to her and carried her out to a patrol car parked on the north side of the residence. She was treated and transported to the hospital from that location.

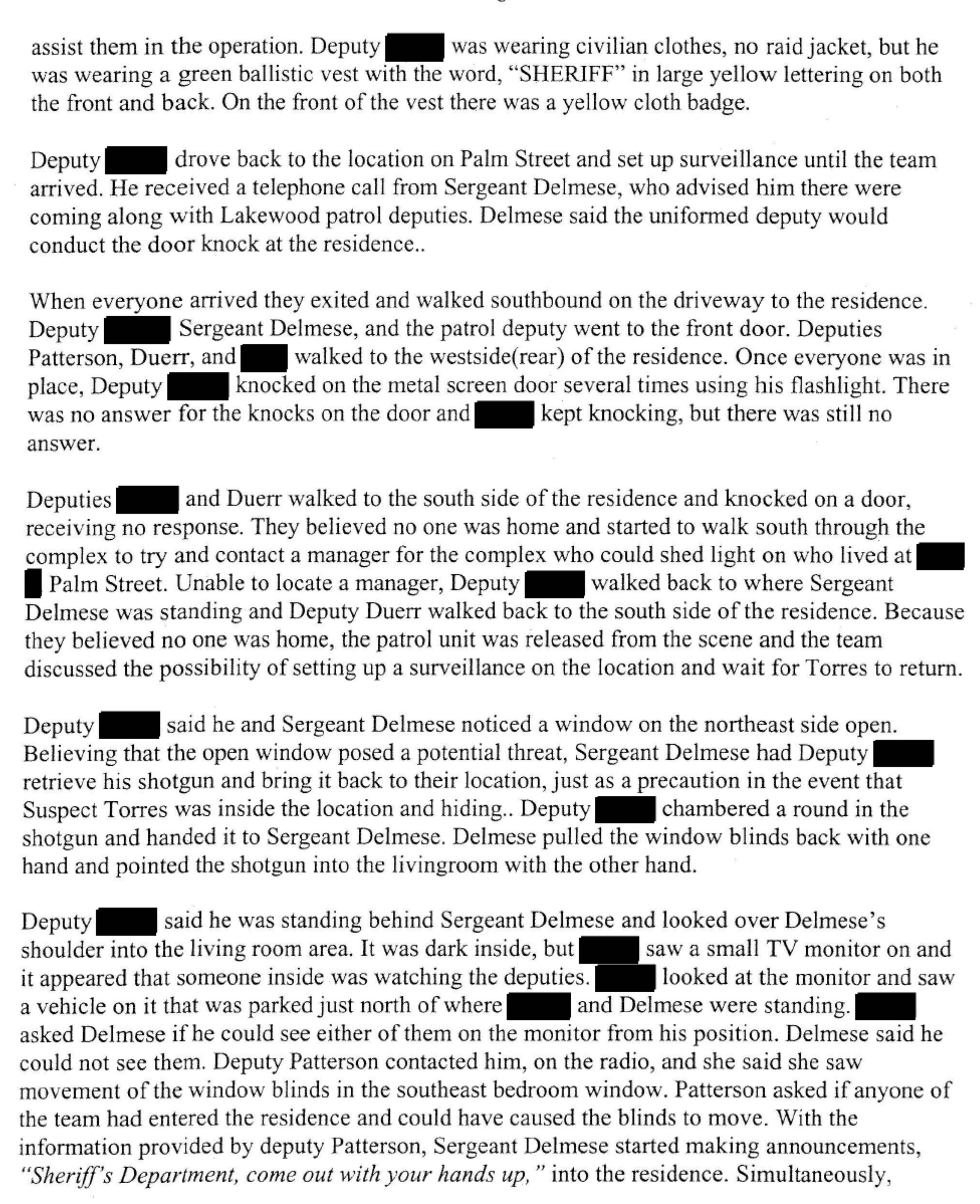
[redacted], Deputy Sheriff # [redacted]

Deputy [redacted] was interviewed on 12-22-2003, at 0900 hours, by Homicide Investigators, Rich Lopez and Sandra Nava. The interview took place at Lakewood Station and was recorded on tape. The following is a synopsis of the interview.

Deputy [redacted] said he was assigned to the Fugitive Task Force of the Major Crimes Bureau. The team consists of Sergeant Larry Delmese, #[redacted], Deputies Tim Duerr, #[redacted], [redacted] #[redacted], Stephanie Patterson, #[redacted] and himself.

Deputy [redacted] said his team had been looking for a person-of-interest Javier Torres for several months. Deputy [redacted] said that they believed Torres was responsible for a murder under investigation by Sheriff's Homicide Bureau, under file # 003-22959-1363-011. He said they had received information that Torres was staying at [redacted] Palm Street, in the city of Bellflower, along with a female juvenile, [redacted], who was a reported missing juvenile by her father. Deputy [redacted] told investigators that he believed Javier Torres had a warrant for his arrest charging a violation of probation.

Deputy [redacted] said on 12-22-2003 the Fugitive task Force assembled at Century Station and discussed a plan to go to the Palm Street location and arrest Javier Torres. The team left Century Station and met up in the Denny's restaurant parking lot at Lakewood and Artesia Boulevards. Deputy [redacted] said Deputies Duerr and [redacted] rode with him and they went to the Palm Street location and saw a vehicle parked in the driveway that they associated with the suspect. Deputy [redacted] went back to the Denny's parking lot staging area and briefed the team members of the location. [redacted] said Deputy Patterson contacted Lakewood Station and requested patrol units to



assist them in the operation. Deputy [redacted] was wearing civilian clothes, no raid jacket, but he was wearing a green ballistic vest with the word, "SHERIFF" in large yellow lettering on both the front and back. On the front of the vest there was a yellow cloth badge.

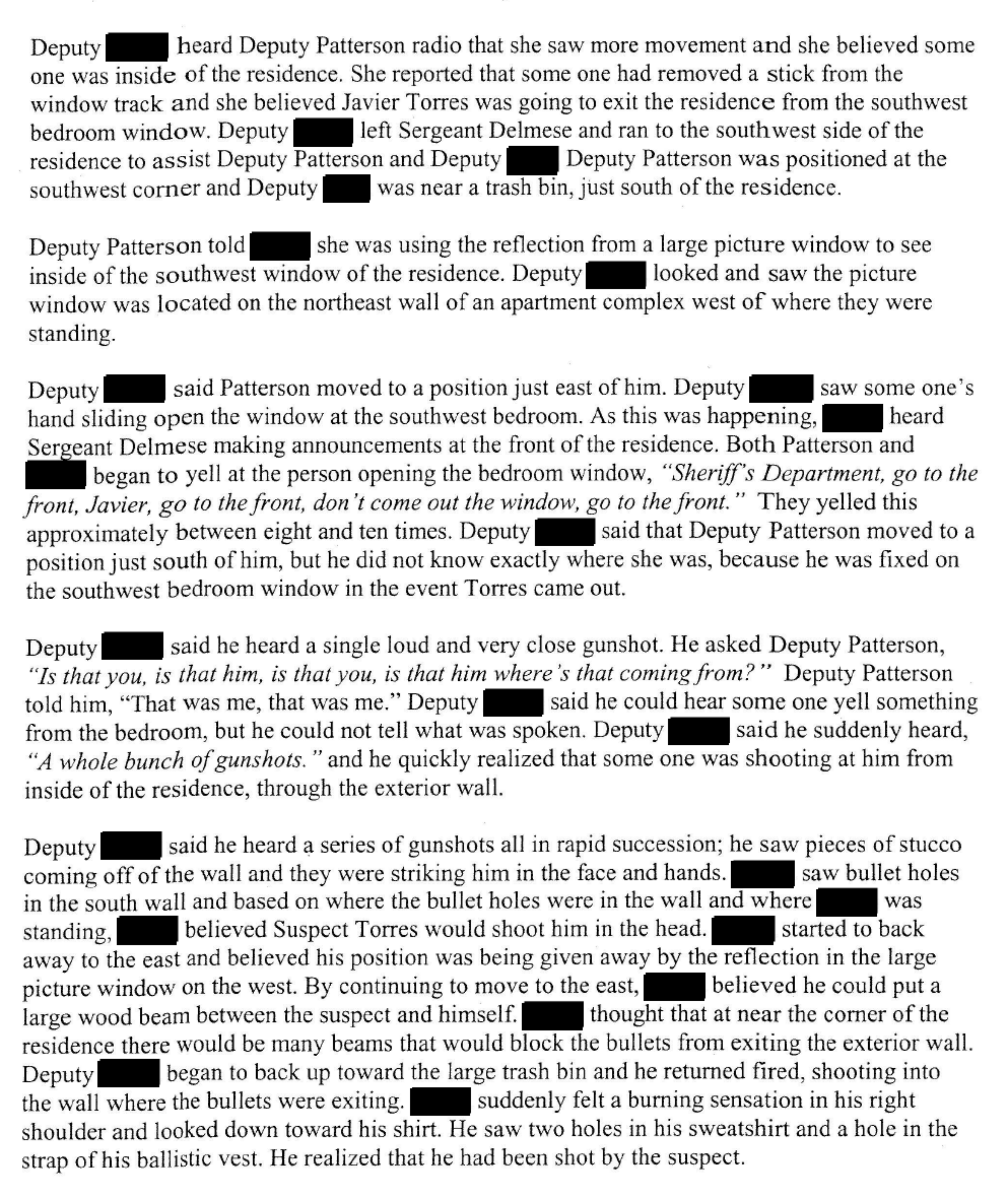
Deputy [redacted] drove back to the location on Palm Street and set up surveillance until the team arrived. He received a telephone call from Sergeant Delmese, who advised him there were coming along with Lakewood patrol deputies. Delmese said the uniformed deputy would conduct the door knock at the residence..

When everyone arrived they exited and walked southbound on the driveway to the residence. Deputy [redacted] Sergeant Delmese, and the patrol deputy went to the front door. Deputies Patterson, Duerr, and [redacted] walked to the westside(rear) of the residence. Once everyone was in place, Deputy [redacted] knocked on the metal screen door several times using his flashlight. There was no answer for the knocks on the door and [redacted] kept knocking, but there was still no answer.

Deputies [redacted] and Duerr walked to the south side of the residence and knocked on a door, receiving no response. They believed no one was home and started to walk south through the complex to try and contact a manager for the complex who could shed light on who lived at [redacted] Palm Street. Unable to locate a manager, Deputy [redacted] walked back to where Sergeant Delmese was standing and Deputy Duerr walked back to the south side of the residence. Because they believed no one was home, the patrol unit was released from the scene and the team discussed the possibility of setting up a surveillance on the location and wait for Torres to return.

Deputy [redacted] said he and Sergeant Delmese noticed a window on the northeast side open. Believing that the open window posed a potential threat, Sergeant Delmese had Deputy [redacted] retrieve his shotgun and bring it back to their location, just as a precaution in the event that Suspect Torres was inside the location and hiding.. Deputy [redacted] chambered a round in the shotgun and handed it to Sergeant Delmese. Delmese pulled the window blinds back with one hand and pointed the shotgun into the livingroom with the other hand.

Deputy [redacted] said he was standing behind Sergeant Delmese and looked over Delmese's shoulder into the living room area. It was dark inside, but [redacted] saw a small TV monitor on and it appeared that someone inside was watching the deputies. [redacted] looked at the monitor and saw a vehicle on it that was parked just north of where [redacted] and Delmese were standing. [redacted] asked Delmese if he could see either of them on the monitor from his position. Delmese said he could not see them. Deputy Patterson contacted him, on the radio, and she said she saw movement of the window blinds in the southeast bedroom window. Patterson asked if anyone of the team had entered the residence and could have caused the blinds to move. With the information provided by deputy Patterson, Sergeant Delmese started making announcements, *"Sheriff's Department, come out with your hands up,"* into the residence. Simultaneously,



Deputy [redacted] heard Deputy Patterson radio that she saw more movement and she believed some one was inside of the residence. She reported that some one had removed a stick from the window track and she believed Javier Torres was going to exit the residence from the southwest bedroom window. Deputy [redacted] left Sergeant Delmese and ran to the southwest side of the residence to assist Deputy Patterson and Deputy [redacted] Deputy Patterson was positioned at the southwest corner and Deputy [redacted] was near a trash bin, just south of the residence.

Deputy Patterson told [redacted] she was using the reflection from a large picture window to see inside of the southwest window of the residence. Deputy [redacted] looked and saw the picture window was located on the northeast wall of an apartment complex west of where they were standing.

Deputy [redacted] said Patterson moved to a position just east of him. Deputy [redacted] saw some one's hand sliding open the window at the southwest bedroom. As this was happening, [redacted] heard Sergeant Delmese making announcements at the front of the residence. Both Patterson and [redacted] began to yell at the person opening the bedroom window, *"Sheriff's Department, go to the front, Javier, go to the front, don't come out the window, go to the front."* They yelled this approximately between eight and ten times. Deputy [redacted] said that Deputy Patterson moved to a position just south of him, but he did not know exactly where she was, because he was fixed on the southwest bedroom window in the event Torres came out.

Deputy [redacted] said he heard a single loud and very close gunshot. He asked Deputy Patterson, *"Is that you, is that him, is that you, is that him where's that coming from?"* Deputy Patterson told him, "That was me, that was me." Deputy [redacted] said he could hear some one yell something from the bedroom, but he could not tell what was spoken. Deputy [redacted] said he suddenly heard, *"A whole bunch of gunshots."* and he quickly realized that some one was shooting at him from inside of the residence, through the exterior wall.

Deputy [redacted] said he heard a series of gunshots all in rapid succession; he saw pieces of stucco coming off of the wall and they were striking him in the face and hands. [redacted] saw bullet holes in the south wall and based on where the bullet holes were in the wall and where [redacted] was standing, [redacted] believed Suspect Torres would shoot him in the head. [redacted] started to back away to the east and believed his position was being given away by the reflection in the large picture window on the west. By continuing to move to the east, [redacted] believed he could put a large wood beam between the suspect and himself. [redacted] thought that at near the corner of the residence there would be many beams that would block the bullets from exiting the exterior wall. Deputy [redacted] began to back up toward the large trash bin and he returned fired, shooting into the wall where the bullets were exiting. [redacted] suddenly felt a burning sensation in his right shoulder and looked down toward his shirt. He saw two holes in his sweatshirt and a hole in the strap of his ballistic vest. He realized that he had been shot by the suspect.

Deputy [redacted] pushed the trash bin to get through and he saw Deputy Patterson down on the ground and that she had been shot also. He told her he also had been shot, but that he would be okay. Deputy [redacted] said he heard the sound of the blinds moving and the window screen being pushed out. He looked up in the direction of the southwest window, dropped to one knee and saw Suspect Torres jump out from the open window. Torres landed with his back to [redacted] about five to seven feet from him.

> **IAB Note: Deputy [redacted] drew a diagram for Homicide investigators detailing his positions as related to the shooting. Refer to Exhibit A, page 162.**

Suspect Torres turned to his right, looked over his shoulder and made eye contact with Deputy [redacted] Suspect Torres extended and raised his right hand, pointing a dark colored, large-framed semi-automatic handgun directly at Deputy [redacted]

Deputy [redacted] fearing that Suspect Torres was going to shoot at him again, fired his duty weapon approximately three times at Torres. Suspect Torres was running, but still looking back over his right shoulder and pointing the handgun at [redacted] Torres ran northwest to a gate just north of them.

Suspect Torres opened the gate and ran westbound through a parking lot of the apartment complex just west of his location. Deputy [redacted] ran to the northeast corner of the apartment building where he last saw Torres run, looked west and could not see Suspect Torres. He remained at this location, dropped his used magazine and reloaded a fresh one. While watching west for the suspect, [redacted] started to talk to Deputy Patterson, who remained on the ground. Believing that Torres was gone, Deputy [redacted] went to Deputy Patterson's side to assist her. He saw Deputy Patterson on her hands and knees, leaning against the wall of the residence, and saw that she had been shot in the hip. [redacted] continued to tell her she was going to be okay. Deputy [redacted] radioed that both he and Deputy Patterson had been shot, needed paramedics and the direction of travel of Suspect Torres. [redacted] was joined by Sergeant Delmese and Deputy [redacted] as he walked to the front of the residence where paramedics had arrived.

SUSPECT STATEMENTS:

Javier Hernandez Torres was interviewed by Homicide Investigators Rich Lopez and Sandra Nava on 12-22-2003, at 2356 hours. The interview took place at Twin Towers Correctional Facility and was tape recorded. The following is a summary of the interview.

Suspect Torres said he lived at [redacted] Palm Street, Bellflower, for about one month. His [redacted], [redacted], lived at the same location for approximately two weeks. They lived with the residents, [redacted] and [redacted] and [redacted]. Torres said he has known [redacted] for about ten years.

Suspect Torres said he was asleep on a couch in the living room when he was awakened by [redacted] telling him some one was knocking on the door. Torres listened and heard someone knocking very loudly on the front door. Torres looked at the T.V. monitor and saw a male at the door that he did not recognize and Torres believed the male was trying to break into the residence. Torres said he began to panic and does not remember anything that occurred after the knocking on the door.

Suspect Javier Torres denied knowledge of the assault rifle, 9mm pistol found disassembled in the shed he was hiding in, and the TV monitor found in the living room. Torres told investigators that he did not remember shooting at deputies, running from the residence and did not know where he was found by deputies.

Suspect Torres did ask investigators about [redacted] and wanted to know if she was okay. He told them that she did not shoot at anyone and that she does not know how to fire a weapon.

IAB Note: When Suspect Torres was arrested, he was found to have been wearing a ballistic vest (See photograph in Exhibit C). When the vest was examined by Firearms Examiner Dale Higashi, the vest was found to have an expended bullet in the rear panel. The bullet was found to have come from another weapon, not belonging to Deputies [redacted] or Patterson.

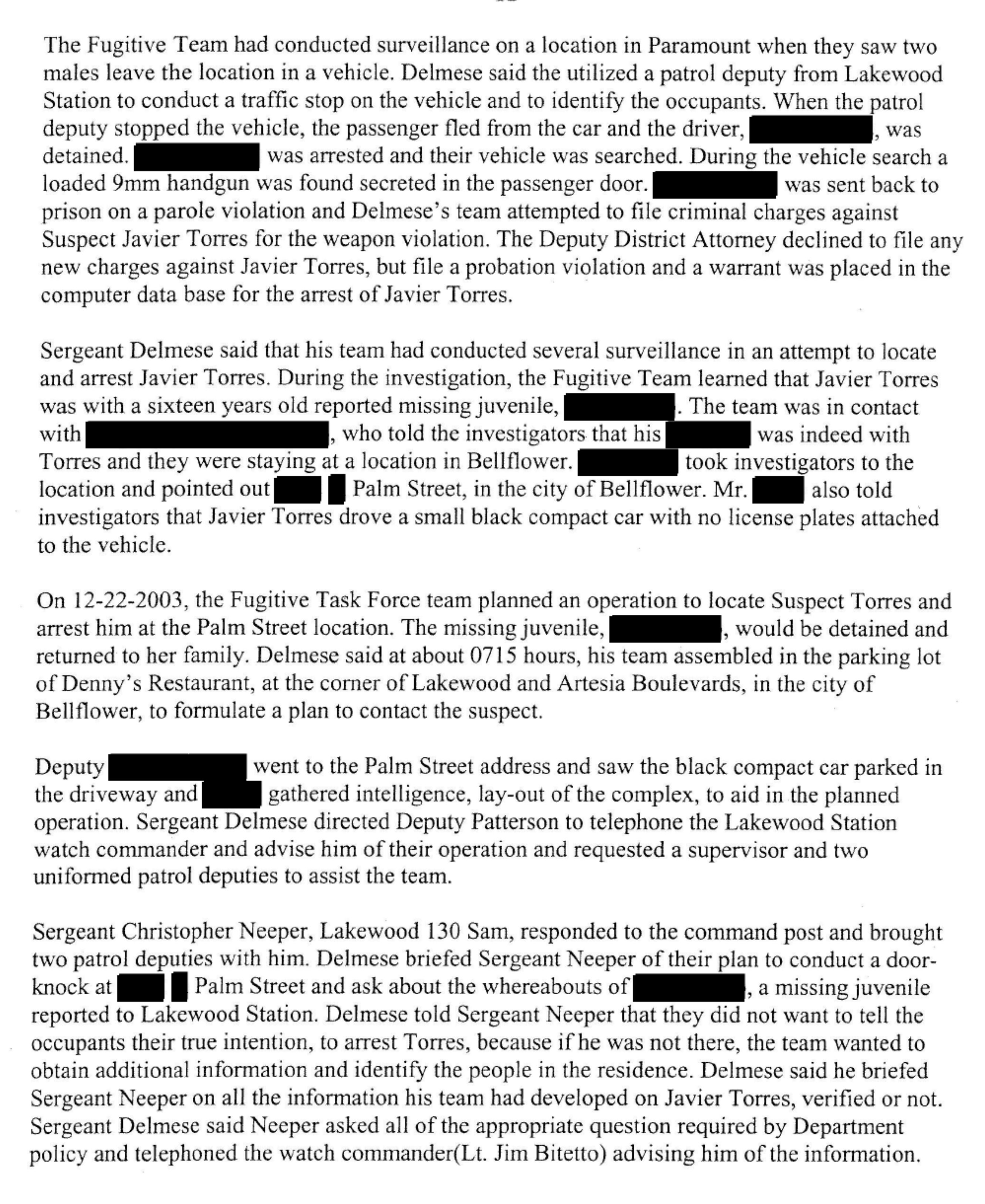
DEPARTMENT WITNESS STATEMENTS:

DELMESE, LAWRENCE, SERGEANT, EMPLOYEE# [redacted]

Sergeant Larry Delmese was interviewed by Homicide Investigators Kenneth Clark and Shaun McCarthy. IAB Investigator Sergeant Larry Landreth was also present. The interview took place on 12-22-2003, at 1230 hours, at Lakewood Station. The interview was recorded and the following is a summary of the interview.

Sergeant Delmese is the supervisor for the Fugitive Task Force Team of Major Crimes Bureau. The team is associated with the United States Federal Marshall's Office and they are tasked with surveillance and apprehension of wanted fugitives. The team also assists Homicide Bureau frequently when Bureau investigators are looking for suspects or persons-of-interest.

Delmese said his team had been working with LASD Homicide Bureau Investigator Karen Shonka for several months trying to locate two individuals who were involved in a murder Homicide Investigator Shonka was working on. Sergeant Delmese said his team was asked to conduct surveillance for the purpose of identifying Javier Torres and his [redacted].



The Fugitive Team had conducted surveillance on a location in Paramount when they saw two males leave the location in a vehicle. Delmese said the utilized a patrol deputy from Lakewood Station to conduct a traffic stop on the vehicle and to identify the occupants. When the patrol deputy stopped the vehicle, the passenger fled from the car and the driver, [redacted], was detained. [redacted] was arrested and their vehicle was searched. During the vehicle search a loaded 9mm handgun was found secreted in the passenger door. [redacted] was sent back to prison on a parole violation and Delmese's team attempted to file criminal charges against Suspect Javier Torres for the weapon violation. The Deputy District Attorney declined to file any new charges against Javier Torres, but file a probation violation and a warrant was placed in the computer data base for the arrest of Javier Torres.

Sergeant Delmese said that his team had conducted several surveillance in an attempt to locate and arrest Javier Torres. During the investigation, the Fugitive Team learned that Javier Torres was with a sixteen years old reported missing juvenile, [redacted]. The team was in contact with [redacted], who told the investigators that his [redacted] was indeed with Torres and they were staying at a location in Bellflower. [redacted] took investigators to the location and pointed out [redacted] [redacted] Palm Street, in the city of Bellflower. Mr. [redacted] also told investigators that Javier Torres drove a small black compact car with no license plates attached to the vehicle.

On 12-22-2003, the Fugitive Task Force team planned an operation to locate Suspect Torres and arrest him at the Palm Street location. The missing juvenile, [redacted], would be detained and returned to her family. Delmese said at about 0715 hours, his team assembled in the parking lot of Denny's Restaurant, at the corner of Lakewood and Artesia Boulevards, in the city of Bellflower, to formulate a plan to contact the suspect.

Deputy [redacted] went to the Palm Street address and saw the black compact car parked in the driveway and [redacted] gathered intelligence, lay-out of the complex, to aid in the planned operation. Sergeant Delmese directed Deputy Patterson to telephone the Lakewood Station watch commander and advise him of their operation and requested a supervisor and two uniformed patrol deputies to assist the team.

Sergeant Christopher Neeper, Lakewood 130 Sam, responded to the command post and brought two patrol deputies with him. Delmese briefed Sergeant Neeper of their plan to conduct a door-knock at [redacted] [redacted] Palm Street and ask about the whereabouts of [redacted], a missing juvenile reported to Lakewood Station. Delmese told Sergeant Neeper that they did not want to tell the occupants their true intention, to arrest Torres, because if he was not there, the team wanted to obtain additional information and identify the people in the residence. Delmese said he briefed Sergeant Neeper on all the information his team had developed on Javier Torres, verified or not. Sergeant Delmese said Neeper asked all of the appropriate question required by Department policy and telephoned the watch commander(Lt. Jim Bitetto) advising him of the information.

Sergeant Neeper told Delmese the watch commander had given his approval for the Lakewood units to assist in the operation.

Sergeant Delmese said the team members and Lakewood units drove to the Palm Street location Deputies Tim Duerr, Stephanie Patterson and [redacted] were in a van and they went to the rear of the location. Deputies [redacted] the patrol deputy and Delmese went to the front door of the residence. Delmese said his deputies identified themselves, as sheriff's deputies, as they knocked on the front door. They announced and knocked for several minutes until everyone was convinced that no one was home.

During the knocking and announcing at the front door, Sergeant Delmese said he concentrated on the front living room window curtain. He tried to look in the window, through a narrow opening in the curtain for any occupants or sounds coming from inside.

Sergeant Delmese said the patrol units and sergeant remained with him for several minutes and when they believed that no one was home, Delmese released the units to resume their patrol duties because they had calls for service backing up in Bellflower. Delmese said he told his investigators they were going to switch directions and go into an information gathering mode. Delmese requested a patrol unit to inquire of the V.I.N. belonging to the black car. The return on the V.I.N. came back registered to a female.

Deputies [redacted] and Duerr began to knock on the surrounding residential doors inquiring of the occupants about the people living at [redacted] Palm Street. One of Delmese's deputies obtained a cellular telephone number for the property owner and was talking to him when Deputy Patterson radioed that she had observed movement of the window blinds near her location on the southwest corner of the house. She asked if any of the team members had entered the residence and could they have caused the movement of the blinds.

Sergeant Delmese said he believed the occupants hid and waited until the uniformed deputies left the area before moving around. He became concerned because he was keenly aware of Javier Torres' criminal record and his history involving weapon's violations. Sergeant Delmese directed Deputy [redacted] to go to [redacted]'s vehicle and retrieve a shotgun. Delmese wanted a strong and armed presence at the front door should the suspect present himself armed. Armed with a shotgun, Delmese tried to look through the curtain opening for any movement inside. He heard one of his deputies radio they saw move movement in the back and that some one was trying to look out of the window.

Sergeant Delmese told investigators he slid open the window, pushed aside the curtain and covered the living room with the shotgun. He announced, *"Sheriff's Department"*, and looked for any movement. A female walked into the living room from a hallway. Delmese said he saw a male hiding by a couch and he order the man to show himself. The male rolled off of the couch

and appeared to be feigning that he had been asleep and had just awakened. Delmese ordered the male to obey his commands and stop moving. Another female entered the living room and he ordered her to stand still. Delmese detained all three individuals at gun point and ordered the second female to open the front door.

Delmese said he was aware there were at least two deputies at the rear of the location, covering the rear door. Delmese stated he was concerned for Deputy Duerr's location because he did not have sufficient cover should a gunfight start and that was the reason for ordering the female to open the front door. Delmese wanted to be able to fully cover all three people and watch the living room. Delmese was concerned more for what he could not see inside of the house that the three people he had detained.

Delmese said he heard his deputies say that they saw some one looking out of a rear window when the female opened the front door. Within seconds, Delmese heard several loud gunshots coming from the rear of the house. Delmese said the gunshots were very loud and he could tell they were coming from inside the house and to the rear. Delmese said he heard other gunshots and knew they were his deputies firing back by the difference in the sounds. He said he heard between four and five louder gunshots and then heard several quieter gunshots he attributed to his deputies.

Sergeant Delmese said when the gunfight started he moved up closer to the front door and used the door and doorframe as a positional advantage and cover. Deputy Duerr moved to the south side of the residence, toward where the gunshots came from. Delmese maintained cover on the three people and watched for the suspect(s) who were shooting at his deputies to come around into the living room. Delmese said that he heard some one say that the suspect was running.

When Delmese heard that the suspect was running, he backed away and readied himself to confront the shooter when he came into the living room. Delmese's radio was set on Lakewood's frequency and he broadcast there had been a deputy involved shooting and the suspect was fleeing. Delmese said he saw Deputy [redacted] and asked her if his deputies were okay and accounted for. She told him that Deputy Patterson had been struck by a bullet in the hip during the gunfight and she could not walk. Sergeant Delmese said he requested paramedics and patrol units to his location. As soon as the assisting units arrived he directed them to Deputy Patterson's location to assist her. Deputy Duerr told Delmese that Deputy [redacted] had also been shot during the gunfight and that he was okay. Delmese told [redacted] to go out to the front to the paramedics. Deputy [redacted] told Sergeant Delmese he had broadcast a description of the suspect and his last known direction of travel.

Sergeant Delmese told investigators that he had neither fired his weapon or witnessed any of the shooting.

IAB Note: Sergeant Delmese drew two diagrams of his positions before and after the shooting occurred. Refer to Exhibit A, pages 156 and 157.

DUERR, TIMOTHY, DEPUTY SHERIFF, EMPLOYEE# [redacted]

Deputy Tim Duerr was interviewed on 12-22-2003, at 1232 hours. The interview was conducted by Homicide Investigators Kenneth Clark and Shaun McCarthy. IAB Investigator Larry Landreth was also present during the interview. The interview took place at Lakewood Station and was tape recorded. The following is a summary of the interview:

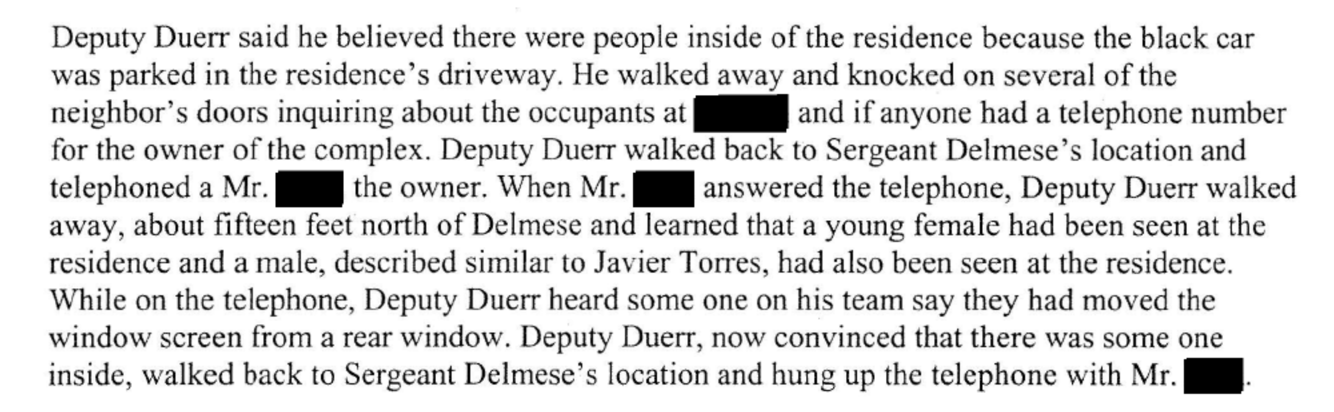
Deputy Duerr said he and his team, the Fugitive task Force, went to [redacted] Palm Street, Bellflower, to look for a female runaway, [redacted]. Duerr had information that [redacted] was at the house with Javier Torres, a person wanted for violation of probation. A week before the shooting, Mr. [redacted] told Duerr's team that [redacted] had runaway and he had reported her missing to Lakewood Station. He also told investigators that Torres drove a black compact car, possibly a Mitsubishi, that had no license plates. Earlier in the week, Mr. [redacted] led investigators to the Palm Street address and pointed out [redacted] Palm as where his [redacted] could be found.

On 12-22-2003, at about 0600 hours, the Fugitive Task Force met at Century Station to discuss a plan to capture Suspect Torres and detain [redacted]. They moved to another location and assembled in the Denny's Restaurant parking lot in Bellflower. Duerr said a team member went to the Palm Street address and saw a black vehicle with no license plates parked in the driveway. The team decided they would attempt the capture by utilizing Lakewood patrol units to conduct a door-knock of the location.

Deputy Duerr said that a team member telephoned Lakewood Station and requested a couple patrol units to meet them at the Denny's Restaurant parking lot. A patrol supervisor and a patrol deputy arrived and were briefed about the operation. The patrol sergeant requested two additional units to the command post.

When the additional patrol units arrived, everyone drove to the Palm Street location. Everyone parked on the street in front of the location and the uniformed deputies were sent to the front door to knock and they would be easily identifiable as law enforcement officers. Duerr said the Fugitive Team was wearing green tactical vests with a "SHERIFF" insignia on the front and back, along with a cloth star on the front. The patrol deputies were dressed in Class "A" uniforms and gun belts.

Deputy Duerr stated Sergeant Delmese, Deputy [redacted] and the uniformed deputies went to the front door. Deputies Stephanie Patterson, [redacted] and Deputy Duerr went to the southwest corner of the residence. Duerr described his position as being on the number two-three side of the building. When everyone was in place, Sergeant Delmese knocked several times on the front door but no one answered.



Deputy Duerr said he believed there were people inside of the residence because the black car was parked in the residence's driveway. He walked away and knocked on several of the neighbor's doors inquiring about the occupants at [redacted] and if anyone had a telephone number for the owner of the complex. Deputy Duerr walked back to Sergeant Delmese's location and telephoned a Mr. [redacted] the owner. When Mr. [redacted] answered the telephone, Deputy Duerr walked away, about fifteen feet north of Delmese and learned that a young female had been seen at the residence and a male, described similar to Javier Torres, had also been seen at the residence. While on the telephone, Deputy Duerr heard some one on his team say they had moved the window screen from a rear window. Deputy Duerr, now convinced that there was some one inside, walked back to Sergeant Delmese's location and hung up the telephone with Mr. [redacted].

Deputy Duerr watched as Sergeant Delmese opened the living room window and pushed back the curtains. He saw people inside of the living room. Sergeant Delmese ordered everyone to prone out on the floor. Delmese ordered a female to come and open the front door and as she did, Duerr heard a team member shout from the rear of the residence, *"He's coming out the window, he's coming out the window."*

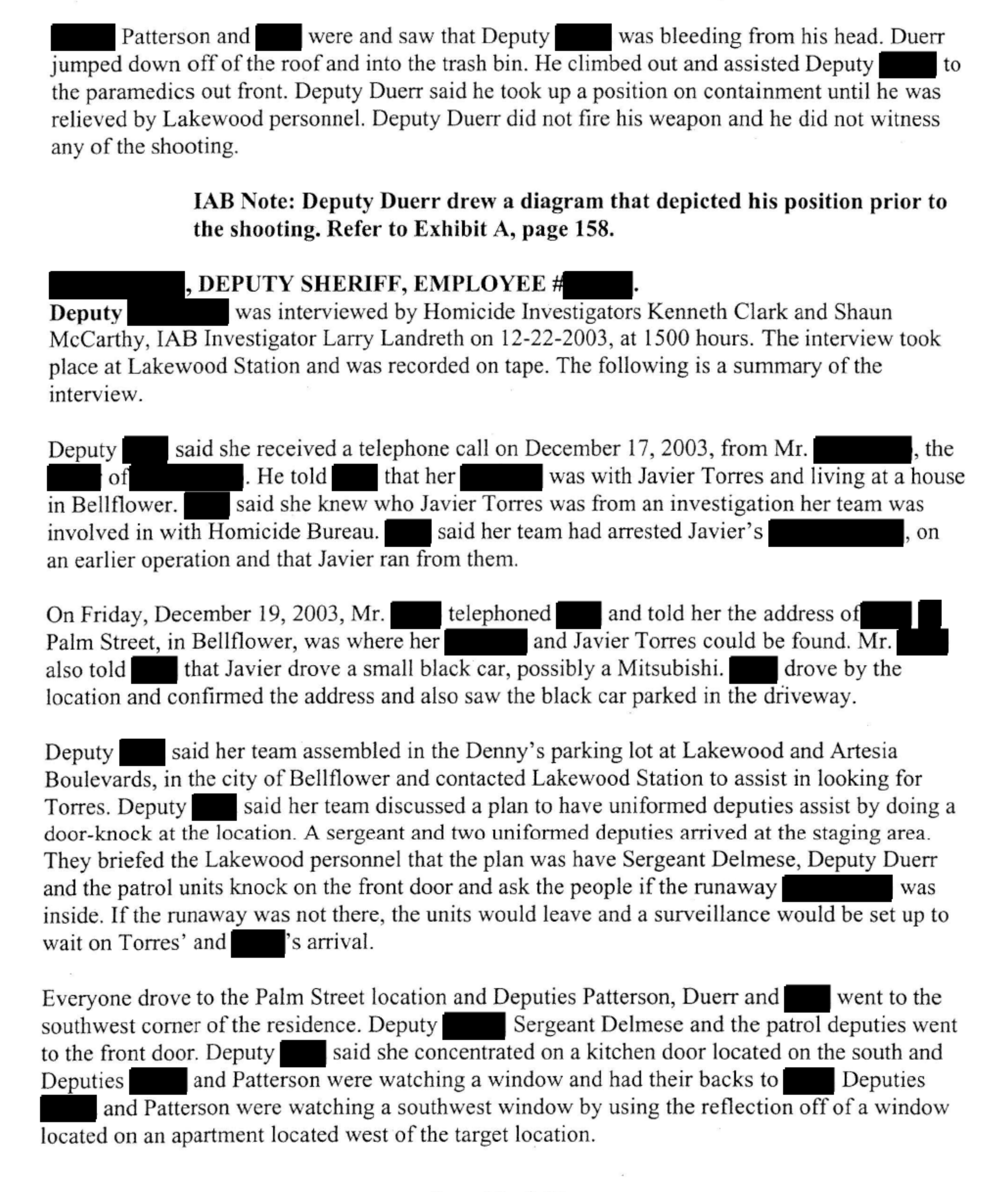
Deputy Duerr said he and Deputy [redacted] ran to the back of the location, where Deputies Patterson and [redacted] were. Duerr said he realized he had left Sergeant Delmese by himself and Duerr ran back to Delmese's position. Duerr believed that three deputies would be sufficient to contain the suspect.

Deputy Duerr and Sergeant Delmese positioned themselves at the opened front door and they heard the first of the gunshots. Duerr said he heard screaming and he moved slowly down the side of the house. He was moving cautiously toward where the deputies had contained the rear when he saw Deputies Patterson and [redacted] laying on the ground; Deputy [redacted] was standing and he pointed saying, *"He's running eastbound."*

Deputy Duerr said he thought that if the suspect ran east, he would have to run in a southern direction first, in order to run east along the residence. Deputy Duerr believed the suspect would be coming his way at any moment, so he ran south along the property line to intercept the suspect. Duerr said he wanted to prevent the suspect from doubling back to where the deputies were.

Deputy Duerr said he ran to the furthest unit on the property and climbed up on top of a pick up truck to look. He heard voices on the ground shouting, *"Back behind me."* When Duerr looked at that direction, he realized the suspect had actually ran westbound and not east as Deputy [redacted] put out. Duerr heard someone put out over the radio, *"Westbound."*

Deputy Duerr said he climbed up on the roof from the truck's roof and did not see anyone. He ran along the roof tops of the complex, searching for the suspect. Duerr ran to where Deputies



[redacted] Patterson and [redacted] were and saw that Deputy [redacted] was bleeding from his head. Duerr jumped down off of the roof and into the trash bin. He climbed out and assisted Deputy [redacted] to the paramedics out front. Deputy Duerr said he took up a position on containment until he was relieved by Lakewood personnel. Deputy Duerr did not fire his weapon and he did not witness any of the shooting.

> **IAB Note: Deputy Duerr drew a diagram that depicted his position prior to the shooting. Refer to Exhibit A, page 158.**

[redacted], DEPUTY SHERIFF, EMPLOYEE #[redacted].

Deputy [redacted] was interviewed by Homicide Investigators Kenneth Clark and Shaun McCarthy, IAB Investigator Larry Landreth on 12-22-2003, at 1500 hours. The interview took place at Lakewood Station and was recorded on tape. The following is a summary of the interview.

Deputy [redacted] said she received a telephone call on December 17, 2003, from Mr. [redacted], the [redacted] of [redacted]. He told [redacted] that her [redacted] was with Javier Torres and living at a house in Bellflower. [redacted] said she knew who Javier Torres was from an investigation her team was involved in with Homicide Bureau. [redacted] said her team had arrested Javier's [redacted], on an earlier operation and that Javier ran from them.

On Friday, December 19, 2003, Mr. [redacted] telephoned [redacted] and told her the address of [redacted] Palm Street, in Bellflower, was where her [redacted] and Javier Torres could be found. Mr. [redacted] also told [redacted] that Javier drove a small black car, possibly a Mitsubishi. [redacted] drove by the location and confirmed the address and also saw the black car parked in the driveway.

Deputy [redacted] said her team assembled in the Denny's parking lot at Lakewood and Artesia Boulevards, in the city of Bellflower and contacted Lakewood Station to assist in looking for Torres. Deputy [redacted] said her team discussed a plan to have uniformed deputies assist by doing a door-knock at the location. A sergeant and two uniformed deputies arrived at the staging area. They briefed the Lakewood personnel that the plan was have Sergeant Delmese, Deputy Duerr and the patrol units knock on the front door and ask the people if the runaway [redacted] was inside. If the runaway was not there, the units would leave and a surveillance would be set up to wait on Torres' and [redacted]'s arrival.

Everyone drove to the Palm Street location and Deputies Patterson, Duerr and [redacted] went to the southwest corner of the residence. Deputy [redacted] Sergeant Delmese and the patrol deputies went to the front door. Deputy [redacted] said she concentrated on a kitchen door located on the south and Deputies [redacted] and Patterson were watching a window and had their backs to [redacted] Deputies [redacted] and Patterson were watching a southwest window by using the reflection off of a window located on an apartment located west of the target location.

After knocking on the front door failed to have anyone open the door, it became obvious that there were occupants inside and they were not going to open the door. When they did not get a response at the door, the uniformed deputies left the location to resume their patrol duties. Deputies Duerr and [redacted] went to the door on the south side, keeping Patterson and [redacted] to cover the west side. After a couple minutes, Deputy Duerr told Deputies Patterson and [redacted] he was going to contact some neighbors about the occupants in the target location. He left Deputies [redacted] and Patterson to cover the south west sides.

[redacted] said that a couple minutes later, Deputy Patterson announced that she had just seen the window blinds move. Deputy Patterson told [redacted] *"Someone deliberately moved the blinds."* [redacted] said Deputy Patterson radioed her observations to the other team members. Less than thirty seconds later, Deputy Patterson observed additional movement of the window blinds and she broadcast that information on the radio.

Deputy [redacted] stated she also used the window reflection to she what was occurring. [redacted] said she saw Suspect Javier Torres open the blinds, look outside, and close the blinds quickly. She recognized Torres' face immediately. [redacted] told Deputy Patterson what she had seen and Patterson radioed the information that they saw Javier Torres inside of the house. Deputy [redacted] said she heard Sergeant Delmese yell, *" Put up your hands...put up your hands...get down on the floor."* [redacted] said that Deputy Patterson was the only one with her until Deputy [redacted] came back to their location. [redacted] heard Sergeant Delmese yell to someone to raise their hands.

Deputy [redacted] told investigators that Deputy Duerr called her and said, "[redacted] I need you over here" asking her to go to the front of the house. Just as she started to walk to the south side toward where Sergeant was ordering the occupants out, she heard the first gunshot. Deputy [redacted] explained she heard one loud gunshot followed by a series of gunshots. [redacted] saw the stucco and plaster exploding off of the side of the house as she rounded the corner. Deputy [redacted] took cover by diving behind a vehicle parked nearby.

Deputy [redacted] said she heard someone yell, "He's going eastbound... he's going eastbound..." and thinking that the suspect was coming her way, she hid behind the car and waited for the suspect to come at her. Deputy [redacted] said when the shooting stopped everything became quiet. Deputy [redacted] said she heard Sergeant Delmese say, "[redacted]*, I need you here...Steph's down..cover Steph... cover Steph..."*

Deputy [redacted] watched the front of the residence until she ran to the back where she located deputy Patterson laying on the ground. [redacted] said Patterson's gun was on the ground nearby a trash bin. [redacted] picked the gun up and ran to Patterson's side. [redacted] held both guns in her hands and placed herself on top of Deputy Patterson to protect her from any additional threat coming from inside of the residence. Deputy [redacted] said she knew the house had not been cleared and she pointed one gun at the window and the other gun in the opposite direction.

Deputy [redacted] said that while she was protecting Deputy Patterson and watching the window, in a ready position, an unidentified white male with tattoos on both arms approached her and angrily yelled, *"You just shot my friend...you just shot my friend."* [redacted] said she pointed her gun at the male and ordered him to get back or she would shoot him; the male left the area.

Deputy [redacted] said four deputies from Lakewood Station came on scene while she was dealing with the man. The deputies assisted Deputy [redacted] in carrying Patterson to a radio car.

Deputy [redacted] said she did not fire her weapon and she did not witness the shooting. She provided the investigators with a drawing of the location and her position prior to the shooting.

IAB Note: Refer to Exhibit A, page 160, for a copy of [redacted]'s diagram.

NON-DEPARTMENT WITNESS STATEMENTS:

[redacted], MH/[redacted], was interviewed at Lakewood Station regarding the incident by Homicide investigators. The interview was recorded and the following is a summary of the interview.

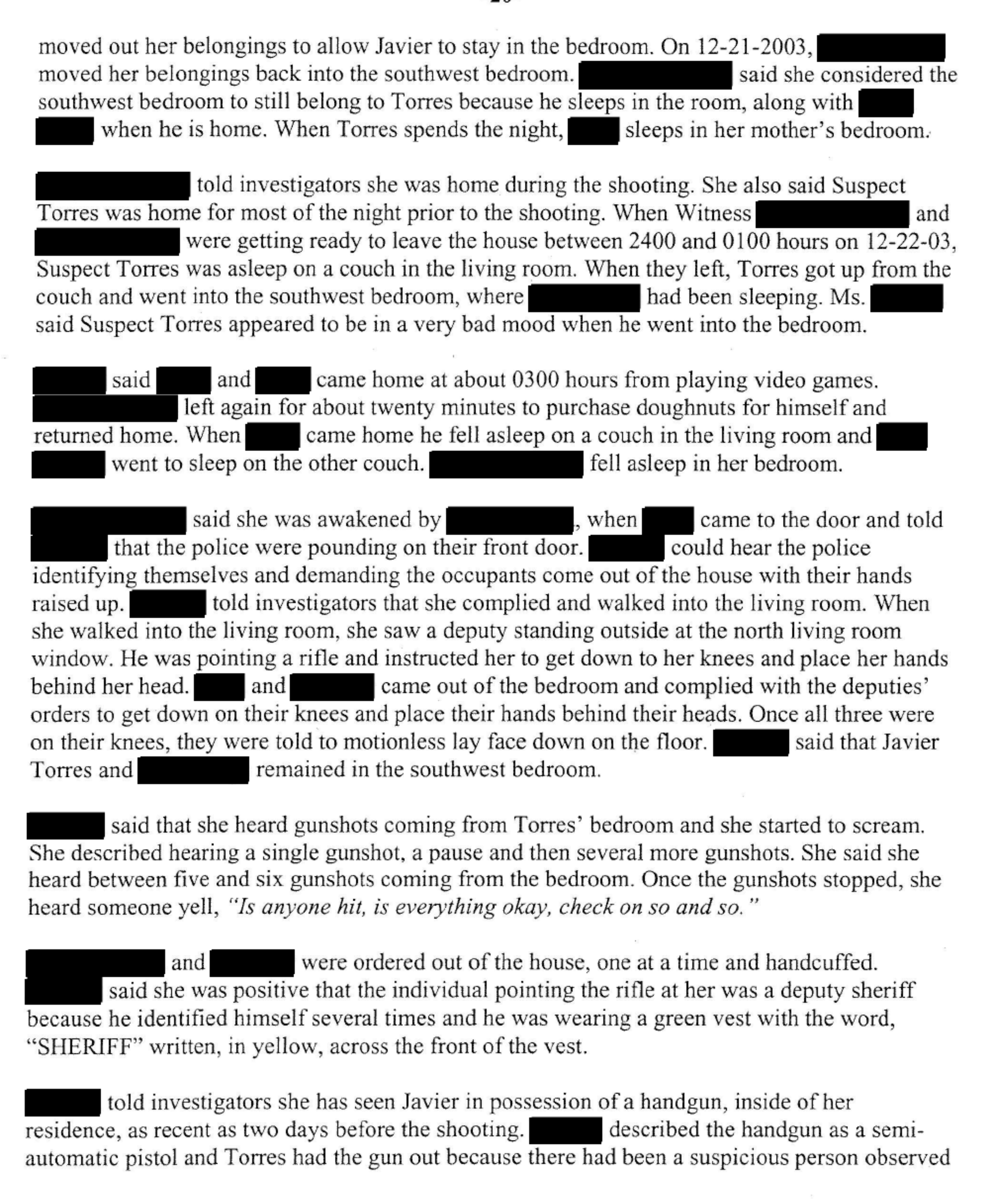
Mr. [redacted] was asleep inside his residence, [redacted], when he was awakened by the sounds of popping, sounds he thought were from a nail gun. He later learned the sounds were from gunshots and he said he heard four gunshots.

Mr. [redacted] heard deputies yelling immediately after the gunshots and he went to his window and looked out. He saw two or three deputies, dressed in green and black vests with the word, "SHERIFF" on the backs, pounding on the front door. Mr. [redacted] said no one was answering the door. He walked away from the window and dressed for work. When he walked outside, he was detained by a female deputy who placed Mr. [redacted] inside of a patrol car.

[redacted], FH/[redacted], was interviewed by Homicide investigators, at Lakewood Station, regarding the incident. The interview was tape recorded and the following is a summary of the interview.

Ms. [redacted] said she lives at [redacted] Palm Street with her daughter, [redacted], and [redacted], a family friend. She lived at the location for about two months and "Harvey" (Javier Torres) for about a month and his [redacted] for about two or three weeks. Ms. [redacted] met Javier Torres through one of her daughter's friends. She explained that there is a living room, dining room, kitchen, bathroom and two bedrooms in the residence.

She said that Suspect Javier Torres lived in the southwest bedroom. [redacted]'s daughter, [redacted],



moved out her belongings to allow Javier to stay in the bedroom. On 12-21-2003, [redacted] moved her belongings back into the southwest bedroom. [redacted] said she considered the southwest bedroom to still belong to Torres because he sleeps in the room, along with [redacted] when he is home. When Torres spends the night, [redacted] sleeps in her mother's bedroom.

[redacted] told investigators she was home during the shooting. She also said Suspect Torres was home for most of the night prior to the shooting. When Witness [redacted] and [redacted] were getting ready to leave the house between 2400 and 0100 hours on 12-22-03, Suspect Torres was asleep on a couch in the living room. When they left, Torres got up from the couch and went into the southwest bedroom, where [redacted] had been sleeping. Ms. [redacted] said Suspect Torres appeared to be in a very bad mood when he went into the bedroom.

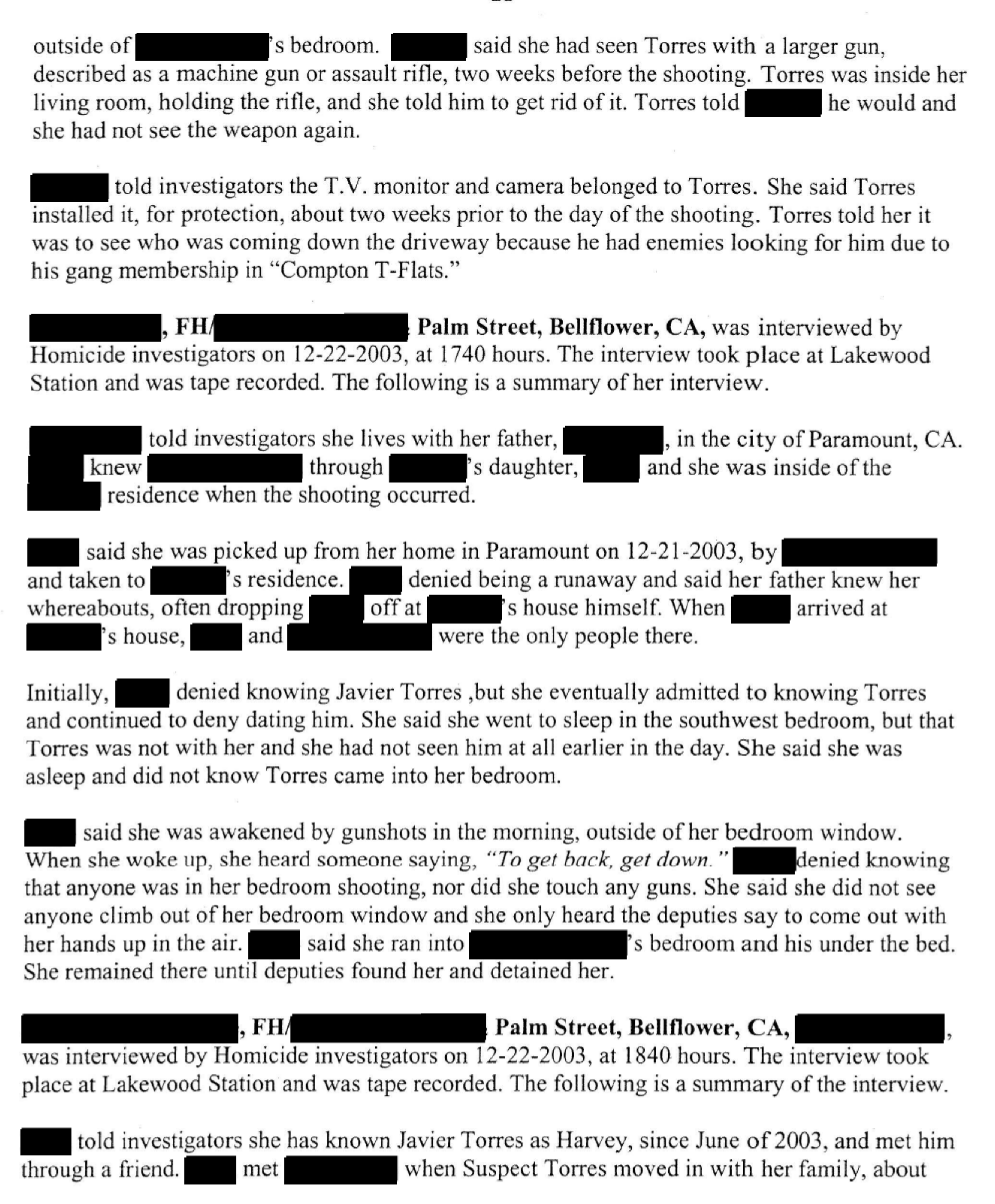
[redacted] said [redacted] and [redacted] came home at about 0300 hours from playing video games. [redacted] left again for about twenty minutes to purchase doughnuts for himself and returned home. When [redacted] came home he fell asleep on a couch in the living room and [redacted] went to sleep on the other couch. [redacted] fell asleep in her bedroom.

[redacted] said she was awakened by [redacted], when [redacted] came to the door and told [redacted] that the police were pounding on their front door. [redacted] could hear the police identifying themselves and demanding the occupants come out of the house with their hands raised up. [redacted] told investigators that she complied and walked into the living room. When she walked into the living room, she saw a deputy standing outside at the north living room window. He was pointing a rifle and instructed her to get down to her knees and place her hands behind her head. [redacted] and [redacted] came out of the bedroom and complied with the deputies' orders to get down on their knees and place their hands behind their heads. Once all three were on their knees, they were told to motionless lay face down on the floor. [redacted] said that Javier Torres and [redacted] remained in the southwest bedroom.

[redacted] said that she heard gunshots coming from Torres' bedroom and she started to scream. She described hearing a single gunshot, a pause and then several more gunshots. She said she heard between five and six gunshots coming from the bedroom. Once the gunshots stopped, she heard someone yell, *"Is anyone hit, is everything okay, check on so and so."*

[redacted] and [redacted] were ordered out of the house, one at a time and handcuffed. [redacted] said she was positive that the individual pointing the rifle at her was a deputy sheriff because he identified himself several times and he was wearing a green vest with the word, "SHERIFF" written, in yellow, across the front of the vest.

[redacted] told investigators she has seen Javier in possession of a handgun, inside of her residence, as recent as two days before the shooting. [redacted] described the handgun as a semi-automatic pistol and Torres had the gun out because there had been a suspicious person observed



outside of [redacted]'s bedroom. [redacted] said she had seen Torres with a larger gun, described as a machine gun or assault rifle, two weeks before the shooting. Torres was inside her living room, holding the rifle, and she told him to get rid of it. Torres told [redacted] he would and she had not see the weapon again.

[redacted] told investigators the T.V. monitor and camera belonged to Torres. She said Torres installed it, for protection, about two weeks prior to the day of the shooting. Torres told her it was to see who was coming down the driveway because he had enemies looking for him due to his gang membership in "Compton T-Flats."

[redacted]**, FH/**[redacted] **Palm Street, Bellflower, CA,** was interviewed by Homicide investigators on 12-22-2003, at 1740 hours. The interview took place at Lakewood Station and was tape recorded. The following is a summary of her interview.

[redacted] told investigators she lives with her father, [redacted], in the city of Paramount, CA. [redacted] knew [redacted] through [redacted]'s daughter, [redacted] and she was inside of the [redacted] residence when the shooting occurred.

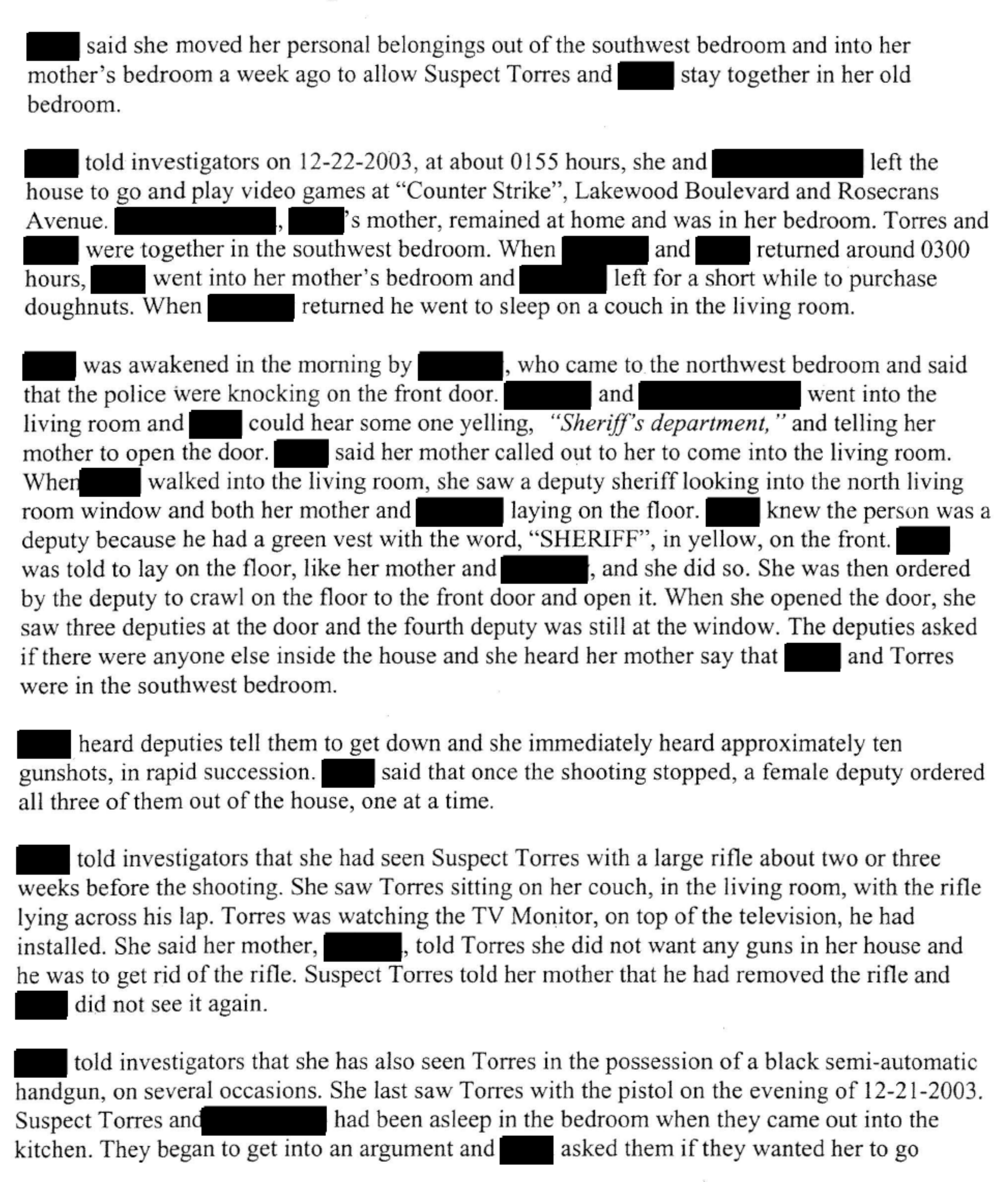
[redacted] said she was picked up from her home in Paramount on 12-21-2003, by [redacted] and taken to [redacted]'s residence. [redacted] denied being a runaway and said her father knew her whereabouts, often dropping [redacted] off at [redacted]'s house himself. When [redacted] arrived at [redacted]'s house, [redacted] and [redacted] were the only people there.

Initially, [redacted] denied knowing Javier Torres ,but she eventually admitted to knowing Torres and continued to deny dating him. She said she went to sleep in the southwest bedroom, but that Torres was not with her and she had not seen him at all earlier in the day. She said she was asleep and did not know Torres came into her bedroom.

[redacted] said she was awakened by gunshots in the morning, outside of her bedroom window. When she woke up, she heard someone saying, *"To get back, get down."* [redacted] denied knowing that anyone was in her bedroom shooting, nor did she touch any guns. She said she did not see anyone climb out of her bedroom window and she only heard the deputies say to come out with her hands up in the air. [redacted] said she ran into [redacted]'s bedroom and his under the bed. She remained there until deputies found her and detained her.

[redacted]**, FH/**[redacted] **Palm Street, Bellflower, CA,** [redacted], was interviewed by Homicide investigators on 12-22-2003, at 1840 hours. The interview took place at Lakewood Station and was tape recorded. The following is a summary of the interview.

[redacted] told investigators she has known Javier Torres as Harvey, since June of 2003, and met him through a friend. [redacted] met [redacted] when Suspect Torres moved in with her family, about



four weeks before the shooting.

[redacted] said she moved her personal belongings out of the southwest bedroom and into her mother's bedroom a week ago to allow Suspect Torres and [redacted] stay together in her old bedroom.

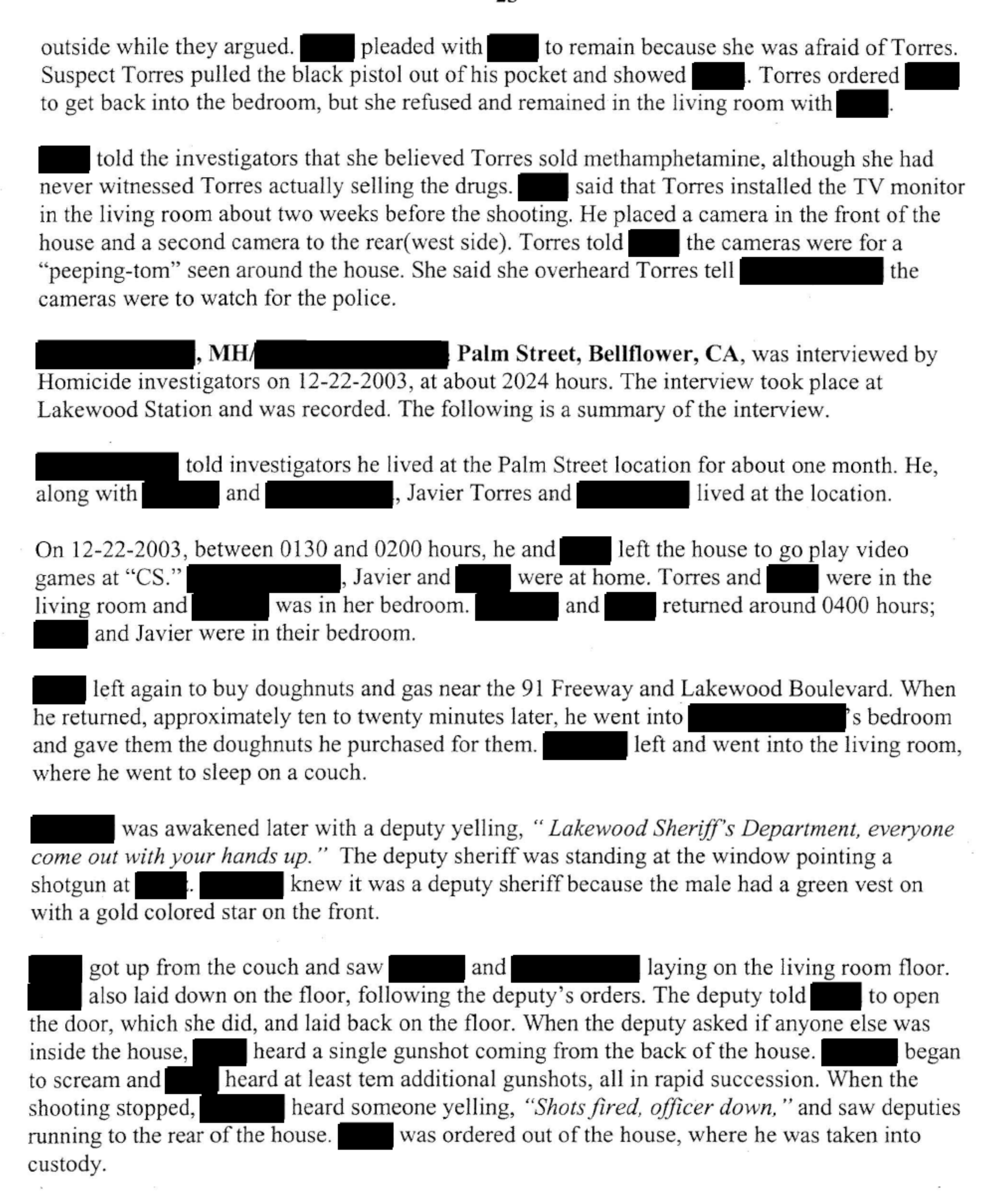
[redacted] told investigators on 12-22-2003, at about 0155 hours, she and [redacted] left the house to go and play video games at "Counter Strike", Lakewood Boulevard and Rosecrans Avenue. [redacted], [redacted]'s mother, remained at home and was in her bedroom. Torres and [redacted] were together in the southwest bedroom. When [redacted] and [redacted] returned around 0300 hours, [redacted] went into her mother's bedroom and [redacted] left for a short while to purchase doughnuts. When [redacted] returned he went to sleep on a couch in the living room.

[redacted] was awakened in the morning by [redacted], who came to the northwest bedroom and said that the police were knocking on the front door. [redacted] and [redacted] went into the living room and [redacted] could hear some one yelling, *"Sheriff's department,"* and telling her mother to open the door. [redacted] said her mother called out to her to come into the living room. When [redacted] walked into the living room, she saw a deputy sheriff looking into the north living room window and both her mother and [redacted] laying on the floor. [redacted] knew the person was a deputy because he had a green vest with the word, "SHERIFF", in yellow, on the front. [redacted] was told to lay on the floor, like her mother and [redacted], and she did so. She was then ordered by the deputy to crawl on the floor to the front door and open it. When she opened the door, she saw three deputies at the door and the fourth deputy was still at the window. The deputies asked if there were anyone else inside the house and she heard her mother say that [redacted] and Torres were in the southwest bedroom.

[redacted] heard deputies tell them to get down and she immediately heard approximately ten gunshots, in rapid succession. [redacted] said that once the shooting stopped, a female deputy ordered all three of them out of the house, one at a time.

[redacted] told investigators that she had seen Suspect Torres with a large rifle about two or three weeks before the shooting. She saw Torres sitting on her couch, in the living room, with the rifle lying across his lap. Torres was watching the TV Monitor, on top of the television, he had installed. She said her mother, [redacted], told Torres she did not want any guns in her house and he was to get rid of the rifle. Suspect Torres told her mother that he had removed the rifle and [redacted] did not see it again.

[redacted] told investigators that she has also seen Torres in the possession of a black semi-automatic handgun, on several occasions. She last saw Torres with the pistol on the evening of 12-21-2003. Suspect Torres and [redacted] had been asleep in the bedroom when they came out into the kitchen. They began to get into an argument and [redacted] asked them if they wanted her to go



outside while they argued. [redacted] pleaded with [redacted] to remain because she was afraid of Torres. Suspect Torres pulled the black pistol out of his pocket and showed [redacted]. Torres ordered [redacted] to get back into the bedroom, but she refused and remained in the living room with [redacted].

[redacted] told the investigators that she believed Torres sold methamphetamine, although she had never witnessed Torres actually selling the drugs. [redacted] said that Torres installed the TV monitor in the living room about two weeks before the shooting. He placed a camera in the front of the house and a second camera to the rear(west side). Torres told [redacted] the cameras were for a "peeping-tom" seen around the house. She said she overheard Torres tell [redacted] the cameras were to watch for the police.

[redacted]**, MH/**[redacted] **Palm Street, Bellflower, CA**, was interviewed by Homicide investigators on 12-22-2003, at about 2024 hours. The interview took place at Lakewood Station and was recorded. The following is a summary of the interview.

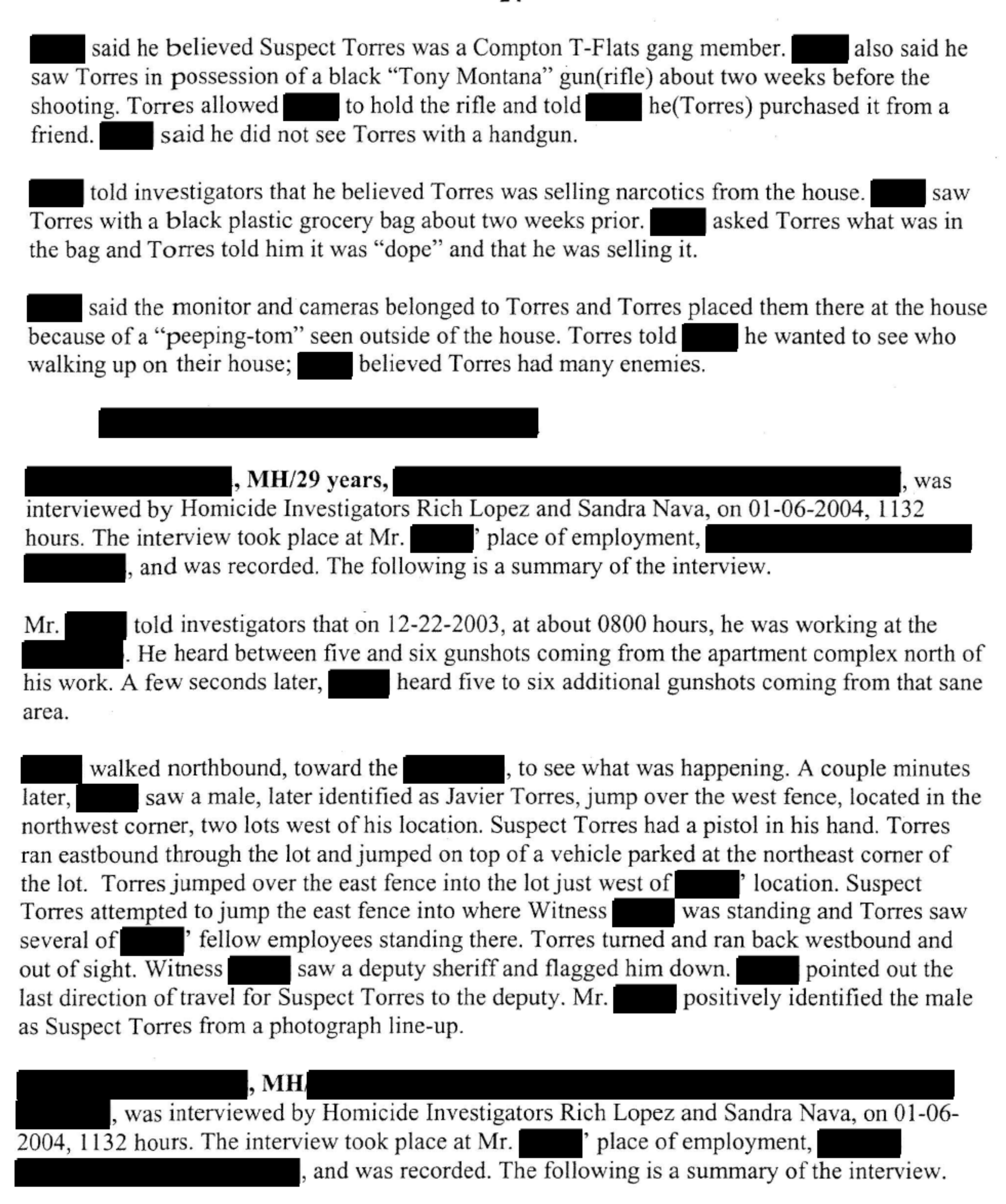
[redacted] told investigators he lived at the Palm Street location for about one month. He, along with [redacted] and [redacted], Javier Torres and [redacted] lived at the location.

On 12-22-2003, between 0130 and 0200 hours, he and [redacted] left the house to go play video games at "CS." [redacted], Javier and [redacted] were at home. Torres and [redacted] were in the living room and [redacted] was in her bedroom. [redacted] and [redacted] returned around 0400 hours; [redacted] and Javier were in their bedroom.

[redacted] left again to buy doughnuts and gas near the 91 Freeway and Lakewood Boulevard. When he returned, approximately ten to twenty minutes later, he went into [redacted]'s bedroom and gave them the doughnuts he purchased for them. [redacted] left and went into the living room, where he went to sleep on a couch.

[redacted] was awakened later with a deputy yelling, *" Lakewood Sheriff's Department, everyone come out with your hands up."* The deputy sheriff was standing at the window pointing a shotgun at [redacted]. [redacted] knew it was a deputy sheriff because the male had a green vest on with a gold colored star on the front.

[redacted] got up from the couch and saw [redacted] and [redacted] laying on the living room floor. [redacted] also laid down on the floor, following the deputy's orders. The deputy told [redacted] to open the door, which she did, and laid back on the floor. When the deputy asked if anyone else was inside the house, [redacted] heard a single gunshot coming from the back of the house. [redacted] began to scream and [redacted] heard at least tem additional gunshots, all in rapid succession. When the shooting stopped, [redacted] heard someone yelling, *"Shots fired, officer down,"* and saw deputies running to the rear of the house. [redacted] was ordered out of the house, where he was taken into custody.



[redacted] said he believed Suspect Torres was a Compton T-Flats gang member. [redacted] also said he saw Torres in possession of a black "Tony Montana" gun(rifle) about two weeks before the shooting. Torres allowed [redacted] to hold the rifle and told [redacted] he(Torres) purchased it from a friend. [redacted] said he did not see Torres with a handgun.

[redacted] told investigators that he believed Torres was selling narcotics from the house. [redacted] saw Torres with a black plastic grocery bag about two weeks prior. [redacted] asked Torres what was in the bag and Torres told him it was "dope" and that he was selling it.

[redacted] said the monitor and cameras belonged to Torres and Torres placed them there at the house because of a "peeping-tom" seen outside of the house. Torres told [redacted] he wanted to see who walking up on their house; [redacted] believed Torres had many enemies.

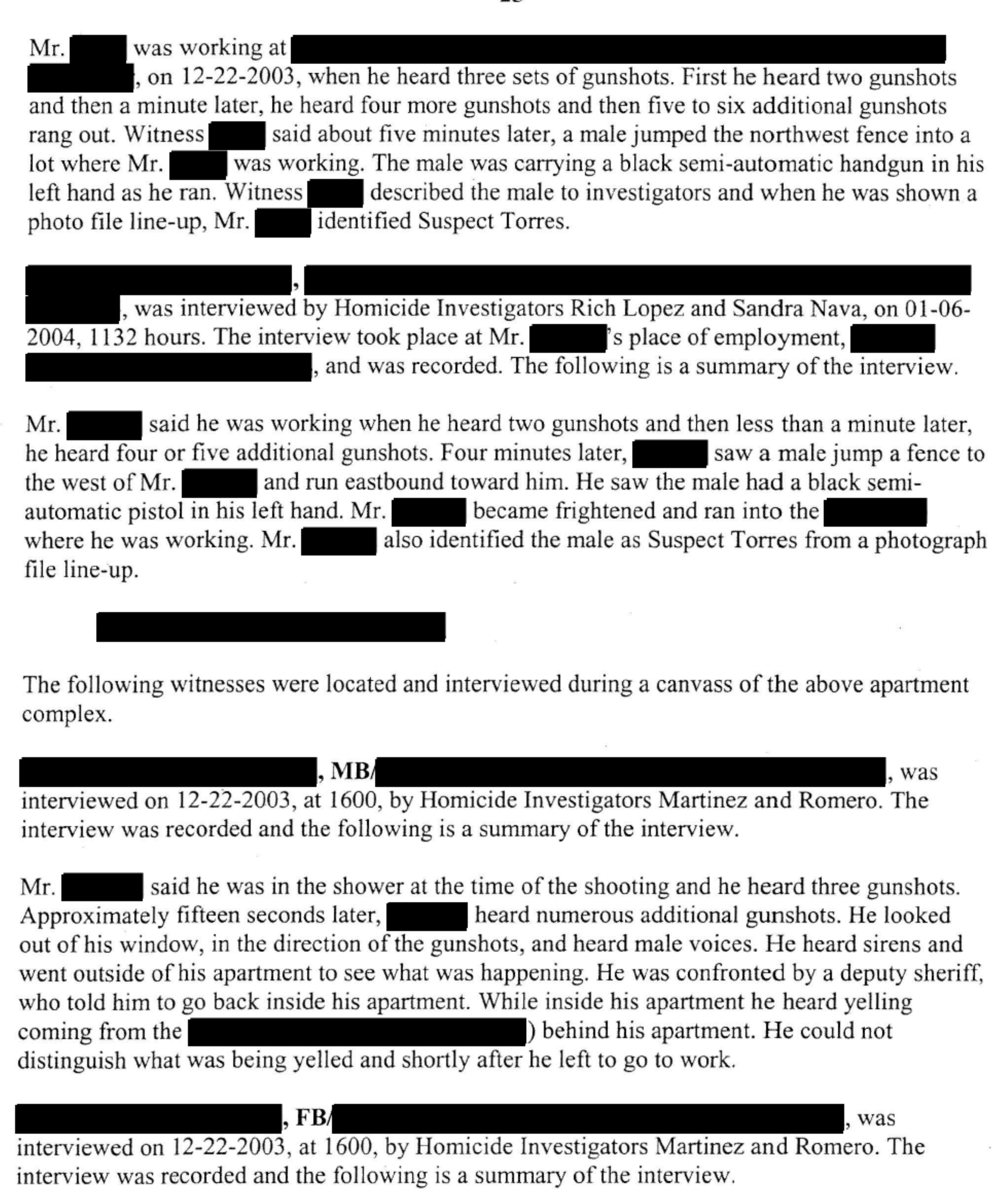
[redacted]

[redacted]**, MH/29 years,** [redacted], was interviewed by Homicide Investigators Rich Lopez and Sandra Nava, on 01-06-2004, 1132 hours. The interview took place at Mr. [redacted]' place of employment, [redacted], and was recorded. The following is a summary of the interview.

Mr. [redacted] told investigators that on 12-22-2003, at about 0800 hours, he was working at the [redacted]. He heard between five and six gunshots coming from the apartment complex north of his work. A few seconds later, [redacted] heard five to six additional gunshots coming from that sane area.

[redacted] walked northbound, toward the [redacted], to see what was happening. A couple minutes later, [redacted] saw a male, later identified as Javier Torres, jump over the west fence, located in the northwest corner, two lots west of his location. Suspect Torres had a pistol in his hand. Torres ran eastbound through the lot and jumped on top of a vehicle parked at the northeast corner of the lot. Torres jumped over the east fence into the lot just west of [redacted]' location. Suspect Torres attempted to jump the east fence into where Witness [redacted] was standing and Torres saw several of [redacted]' fellow employees standing there. Torres turned and ran back westbound and out of sight. Witness [redacted] saw a deputy sheriff and flagged him down. [redacted] pointed out the last direction of travel for Suspect Torres to the deputy. Mr. [redacted] positively identified the male as Suspect Torres from a photograph line-up.

[redacted]**, MH/**[redacted], was interviewed by Homicide Investigators Rich Lopez and Sandra Nava, on 01-06-2004, 1132 hours. The interview took place at Mr. [redacted]' place of employment, [redacted], and was recorded. The following is a summary of the interview.



Mr. [redacted] was working at [redacted], on 12-22-2003, when he heard three sets of gunshots. First he heard two gunshots and then a minute later, he heard four more gunshots and then five to six additional gunshots rang out. Witness [redacted] said about five minutes later, a male jumped the northwest fence into a lot where Mr. [redacted] was working. The male was carrying a black semi-automatic handgun in his left hand as he ran. Witness [redacted] described the male to investigators and when he was shown a photo file line-up, Mr. [redacted] identified Suspect Torres.

[redacted], [redacted], was interviewed by Homicide Investigators Rich Lopez and Sandra Nava, on 01-06-2004, 1132 hours. The interview took place at Mr. [redacted]'s place of employment, [redacted], and was recorded. The following is a summary of the interview.

Mr. [redacted] said he was working when he heard two gunshots and then less than a minute later, he heard four or five additional gunshots. Four minutes later, [redacted] saw a male jump a fence to the west of Mr. [redacted] and run eastbound toward him. He saw the male had a black semi-automatic pistol in his left hand. Mr. [redacted] became frightened and ran into the [redacted] where he was working. Mr. [redacted] also identified the male as Suspect Torres from a photograph file line-up.

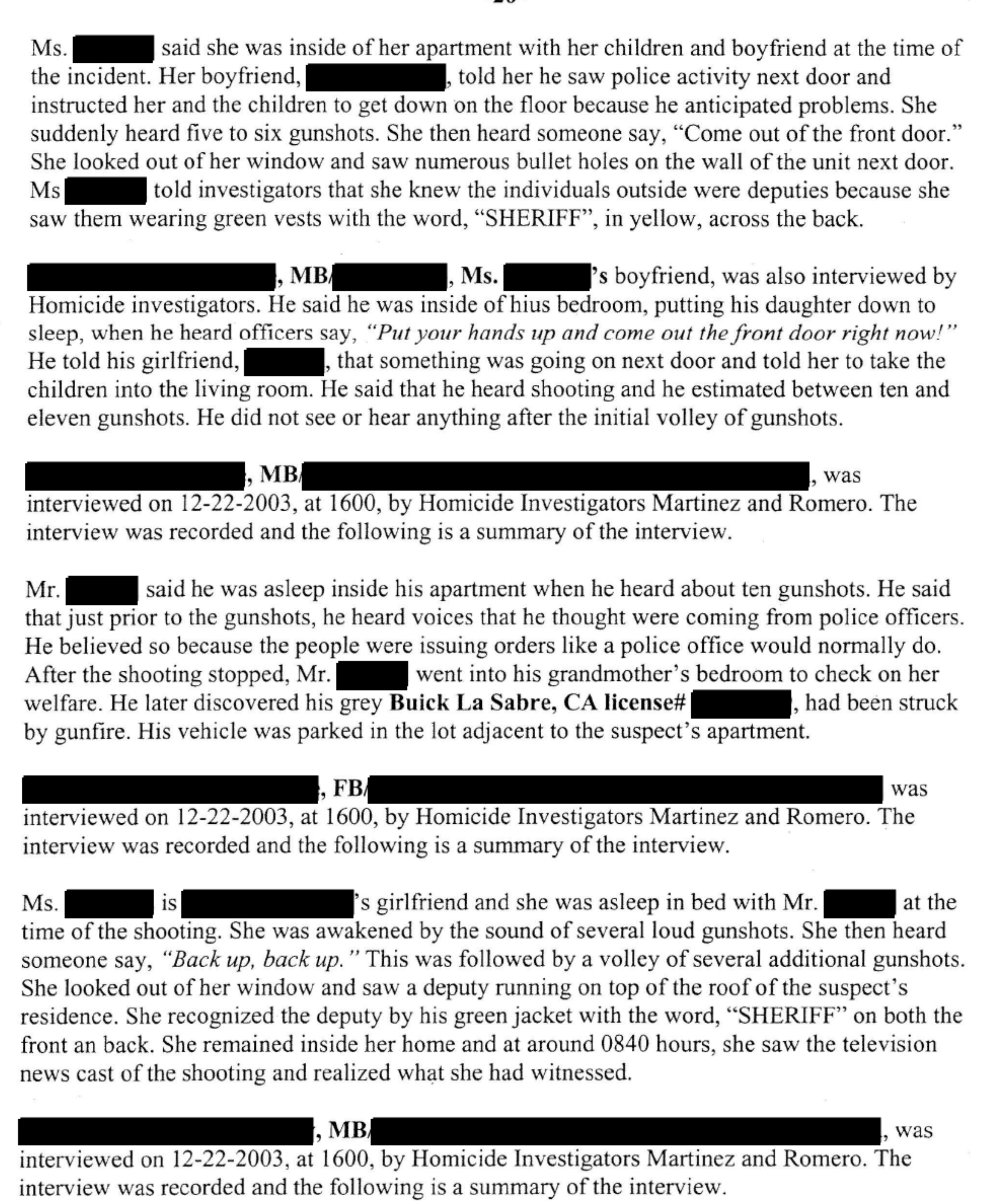
[redacted]

The following witnesses were located and interviewed during a canvass of the above apartment complex.

[redacted], MB/[redacted], was interviewed on 12-22-2003, at 1600, by Homicide Investigators Martinez and Romero. The interview was recorded and the following is a summary of the interview.

Mr. [redacted] said he was in the shower at the time of the shooting and he heard three gunshots. Approximately fifteen seconds later, [redacted] heard numerous additional gunshots. He looked out of his window, in the direction of the gunshots, and heard male voices. He heard sirens and went outside of his apartment to see what was happening. He was confronted by a deputy sheriff, who told him to go back inside his apartment. While inside his apartment he heard yelling coming from the [redacted]) behind his apartment. He could not distinguish what was being yelled and shortly after he left to go to work.

[redacted], FB/[redacted], was interviewed on 12-22-2003, at 1600, by Homicide Investigators Martinez and Romero. The interview was recorded and the following is a summary of the interview.



Ms. [redacted] said she was inside of her apartment with her children and boyfriend at the time of the incident. Her boyfriend, [redacted], told her he saw police activity next door and instructed her and the children to get down on the floor because he anticipated problems. She suddenly heard five to six gunshots. She then heard someone say, "Come out of the front door." She looked out of her window and saw numerous bullet holes on the wall of the unit next door. Ms [redacted] told investigators that she knew the individuals outside were deputies because she saw them wearing green vests with the word, "SHERIFF", in yellow, across the back.

[redacted]**, MB**[redacted]**, Ms.** [redacted]**'s** boyfriend, was also interviewed by Homicide investigators. He said he was inside of hius bedroom, putting his daughter down to sleep, when he heard officers say, *"Put your hands up and come out the front door right now!"* He told his girlfriend, [redacted], that something was going on next door and told her to take the children into the living room. He said that he heard shooting and he estimated between ten and eleven gunshots. He did not see or hear anything after the initial volley of gunshots.

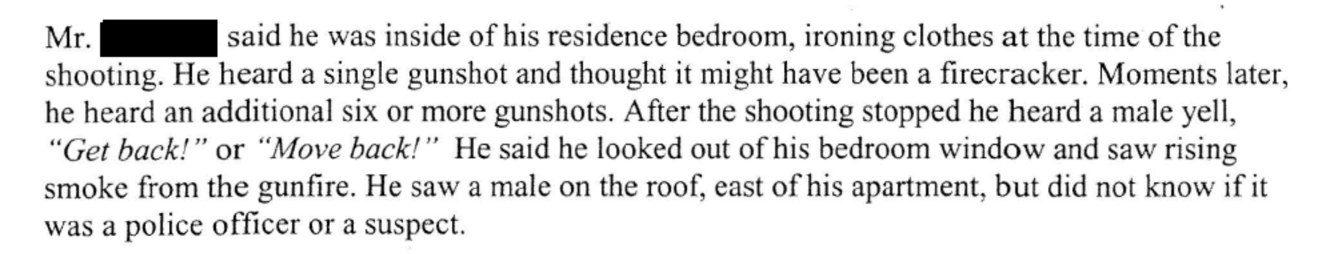
[redacted]**, MB**[redacted], was interviewed on 12-22-2003, at 1600, by Homicide Investigators Martinez and Romero. The interview was recorded and the following is a summary of the interview.

Mr. [redacted] said he was asleep inside his apartment when he heard about ten gunshots. He said that just prior to the gunshots, he heard voices that he thought were coming from police officers. He believed so because the people were issuing orders like a police office would normally do. After the shooting stopped, Mr. [redacted] went into his grandmother's bedroom to check on her welfare. He later discovered his grey **Buick La Sabre, CA license#** [redacted], had been struck by gunfire. His vehicle was parked in the lot adjacent to the suspect's apartment.

[redacted]**, FB**[redacted] was interviewed on 12-22-2003, at 1600, by Homicide Investigators Martinez and Romero. The interview was recorded and the following is a summary of the interview.

Ms. [redacted] is [redacted]'s girlfriend and she was asleep in bed with Mr. [redacted] at the time of the shooting. She was awakened by the sound of several loud gunshots. She then heard someone say, *"Back up, back up."* This was followed by a volley of several additional gunshots. She looked out of her window and saw a deputy running on top of the roof of the suspect's residence. She recognized the deputy by his green jacket with the word, "SHERIFF" on both the front an back. She remained inside her home and at around 0840 hours, she saw the television news cast of the shooting and realized what she had witnessed.

[redacted]**, MB**[redacted], was interviewed on 12-22-2003, at 1600, by Homicide Investigators Martinez and Romero. The interview was recorded and the following is a summary of the interview.



Mr. [redacted] said he was inside of his residence bedroom, ironing clothes at the time of the shooting. He heard a single gunshot and thought it might have been a firecracker. Moments later, he heard an additional six or more gunshots. After the shooting stopped he heard a male yell, *"Get back!"* or *"Move back!"* He said he looked out of his bedroom window and saw rising smoke from the gunfire. He saw a male on the roof, east of his apartment, but did not know if it was a police officer or a suspect.

[redacted]

[redacted]**, M, MW/**[redacted] [redacted] [redacted] was interviewed on 12-22-2003, at 1805, by Homicide Investigators Martinez and Romero. The interview was recorded and the following is a summary of the interview.

Mr. [redacted] said he was awakened on 12-22-2003, in the morning, by two deputy sheriffs, who were asking for the complex manager. [redacted] said that about five minutes later, he heard numerous gunshots. He estimated hearing between fifteen and twenty in total. After the gunshots, [redacted] said he heard some one yelling commands, but could not discern what was being said. He said he believed that the deputies were issuing the commands. [redacted] said he did not go out or look outside of his residence because he was afraid.

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator:	Detective Sergeant Kenneth Clark and Detective Jose Romero, Homicide Bureau
Court:	Clara Shortridge Foltz Criminal Courts, Division 104
Charges Filed	None
Court Date	N/A
Plea/Conviction:	December 21, 2004, (2) counts of 664/187 PC, (5) counts of weapons and gang enhancements.
Sentence:	January 27, 2005, CSFCC, Div. 104, 91 years to life.

PROPERTY DAMAGE:

1. [redacted] [redacted], [redacted], [redacted] a 199X grey Buick La Sabre sedan, CA License# [redacted], registered to [redacted], sustained bullet holes to right front.

2. [redacted] [redacted]. Bullet strikes to the laundry room exterior wall.